

**SWANSON & BRATSCHUN, L.L.C.**

1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
Telephone (303) 268-0066  
Facsimile (303) 268-0065  
e-Mail: firm@sbiplaw.com

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**MAY 17 2006**

**FACSIMILE COVER PAGE**

**TO:** Examiner James H. Alstrum-Acevedo, Ph.D.  
U.S. Patent and Trademark Office

**FACSIMILE #:** 571-273-8300

**FROM:** Katherine Lobel-Rice, Reg. No. 58,079

**DATE:** May 17, 2006

**Subject:** U.S. Application Serial No. 10/712,365  
Diuretic Aerosols and Methods of Making and Using Them  
Our Ref: 00065.01R

**Number of pages**  
**incl. cover page** 26 Faxed \_\_\_\_\_

Dear Examiner Alstrum-Acevedo:

Attached for your ease of reference please find our Response to Office Action as submitted to the U.S. Patent Office on May 16, 2006 in the above-referenced application. As you know, an interview has been scheduled for Tuesday, May 23<sup>rd</sup> at 1:00 pm EST with Mr. Barry Swanson (Attorney of Record), William Leschensky (Vice President, Intellectual Property, Alexza Pharmaceuticals, Inc.) and Dr. Joshua Rabinowitz (Inventor) to discuss this application.

Please let us know if you require any further documentation prior to the scheduled interview.

Very truly yours,

  
**Katherine Lobel-Rice**  
Attorney

**SWANSON & BRATSCHUN, L.L.C.**  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
Telephone: (303) 268-0066  
Facsimile: (303) 268-0065

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**MAY 17 2006**

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|------------------------------------|---|------------------------------------|
| In re application of: Every et al. | ) | Examiner: James H. Alstrum-Acevedo |
|                                    | ) |                                    |
| Serial No.: 10/712,365             | ) | Group Art Unit: 1616               |
|                                    | ) |                                    |
| Filing Date: November 12, 2003     | ) | Confirmation No.: 1462             |
|                                    | ) |                                    |
| For: DIURETIC AEROSOLS AND         | ) |                                    |
| METHODS OF MAKING AND USING        | ) |                                    |
| THEM                               | ) |                                    |

**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated November 16, 2005. A Petition for a three-month time extension also accompanies this amendment.

Amendments to the claims and specification are submitted in compliance with revised 37 CFR 1.121. Amendments to the specification refer to the paragraph numbers in the filed application.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 8 of this paper.

**Remarks** begin on page 19 of this paper.